

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-01820-APM**

AMERICAN CENTER FOR EQUITABLE TREATMENT,
INC. v. OFFICE OF MANAGEMENT AND BUDGET
Assigned to: Judge Amit P. Mehta
Cause: 05:552 Freedom of Information Act

Date Filed: 09/12/2016
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**AMERICAN CENTER FOR
EQUITABLE TREATMENT, INC.**

represented by **Andrew M. Grossman**
BAKER & HOSTETLER LLP
1050 Connecticut Avenue, NW
Suite 1100
Washington, DC 20036
(202) 861-1697
Fax: (202) 861-1783
Email: agrossman@bakerlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark Wendell DeLaquil
BAKER & HOSTETLER, LLP
1050 Connecticut Avenue, NW
Suite 1100
Washington, DC 20036
(202) 861-1527
Fax: (202) 861-1783
Email: mdelaquil@bakerlaw.com
ATTORNEY TO BE NOTICED

Reed D. Rubinstein
DINSMORE & SHOHL LLP
801 Pennsylvania Avenue, NW
Suite 610
Washington, DC 20004
(202) 372-9120
Fax: (202) 372-9141
Email: reed.rubinstein@dinsmore.com
TERMINATED: 01/19/2017
ATTORNEY TO BE NOTICED

V.

Defendant

**OFFICE OF MANAGEMENT AND
BUDGET**

represented by **Paul Cirino**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2529
Fax: (202) 252-2599
Email: paul.cirino@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joshua M. Kolsky
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW

Washington, DC 20530
 (202) 252-2541
 Fax: (202) 252-2599
 Email: joshua.kolsky@usdoj.gov
 TERMINATED: 12/10/2018

Date Filed	#	Docket Text
09/12/2016	<u>1</u>	COMPLAINT against All Plaintiffs (Filing fee \$ 400 receipt number 0090-4670186) filed by AMERICAN CENTER FOR EQUITABLE TREATMENT, INC.. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet, # <u>2</u> Summons OMB, # <u>3</u> Summons Civil Process Clerk, # <u>4</u> Exhibit Exhibit A, # <u>5</u> Exhibit Exhibit B, # <u>6</u> Exhibit Exhibit C)(Rubinstein, Reed) (Entered: 09/12/2016)
09/12/2016		Case Assigned to Judge Amit P. Mehta. (sth) (Entered: 09/13/2016)
09/13/2016	<u>2</u>	SUMMONS (2) Issued Electronically as to THE OFFICE OF MANAGEMENT AND BUDGET and U.S. Attorney (Attachments: # <u>1</u> Summons, # <u>2</u> Summons)(sth) (Entered: 09/13/2016)
09/26/2016	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. THE OFFICE OF MANAGEMENT AND BUDGET served on 9/15/2016 (Rubinstein, Reed) (Entered: 09/26/2016)
09/26/2016	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/14/2016. Answer due for ALL FEDERAL DEFENDANTS by 10/14/2016. (Rubinstein, Reed) (Entered: 09/26/2016)
10/14/2016	<u>5</u>	NOTICE of Appearance by Joshua M. Kolsky on behalf of OFFICE OF MANAGEMENT AND BUDGET (Kolsky, Joshua) (Entered: 10/14/2016)
10/14/2016	<u>6</u>	ANSWER to Complaint by OFFICE OF MANAGEMENT AND BUDGET.(Kolsky, Joshua) (Entered: 10/14/2016)
10/14/2016	<u>7</u>	ORDER: Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before October 28, 2016. Please see the attached Order for additional details. Signed by Judge Amit P. Mehta on 10/14/2016. (lcapm2) (Entered: 10/14/2016)
10/14/2016		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/28/2016. (cdw) (Entered: 10/17/2016)
10/28/2016	<u>8</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Kolsky, Joshua) (Entered: 10/28/2016)
01/03/2017		MINUTE ORDER directing the parties to file a subsequent Joint Status Report on or before February 7, 2017. Signed by Judge Amit P. Mehta on 01/03/2017. (lcapm2) (Entered: 01/03/2017)
01/03/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 2/7/2017. (cdw) (Entered: 01/05/2017)
01/19/2017	<u>9</u>	MOTION to Withdraw as Attorney as to AMERICAN CENTER FOR EQUITABLE TREATMENT, INC.. Attorney Reed D. Rubinstein terminated. (Rubinstein, Reed) Modified event title on 1/20/2017 (znmw). Added MOTION to Stay on 1/20/2017 (znmw). (Entered: 01/19/2017)
01/23/2017		MINUTE ORDER granting <u>9</u> Plaintiff's counsel's Motion to Withdraw. This matter is hereby stayed until February 13, 2017, and the deadline for the parties' Joint Status Report, currently February 7, 2017, is hereby extended to February 28, 2017. Further, the court advises Plaintiff that its failure to timely secure new counsel could result in dismissal of this action and orders that Plaintiff's counsel provide Plaintiff with a copy of this Order. Signed by Judge Amit P. Mehta on 01/23/2017. (lcapm2) (Entered: 01/23/2017)
01/23/2017		Case Stayed. Set/Reset Deadlines/Hearings: Joint Status Report due by 2/28/2017. (cdw) (Entered: 01/24/2017)

01/26/2017	<u>10</u>	NOTICE of Appearance by Andrew M. Grossman on behalf of AMERICAN CENTER FOR EQUITABLE TREATMENT, INC. (Grossman, Andrew) (Entered: 01/26/2017)
01/27/2017	<u>11</u>	NOTICE of Appearance by Mark Wendell DeLaquil on behalf of AMERICAN CENTER FOR EQUITABLE TREATMENT, INC. (DeLaquil, Mark) (Main Document 11 replaced on 1/30/2017) (jf). (Entered: 01/27/2017)
02/28/2017	<u>12</u>	Joint STATUS REPORT by AMERICAN CENTER FOR EQUITABLE TREATMENT, INC.. (Grossman, Andrew) (Entered: 02/28/2017)
03/01/2017		MINUTE ORDER: In light of <u>12</u> the parties' Joint Status Report, the parties shall submit a subsequent Joint Status Report on or before March 30, 2017. Signed by Judge Amit P. Mehta on 03/01/2017. (lcapm2) (Entered: 03/01/2017)
03/01/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 3/30/2017. (cdw) (Entered: 03/07/2017)
03/30/2017	<u>13</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Kolsky, Joshua) (Entered: 03/30/2017)
04/07/2017	<u>14</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Kolsky, Joshua) (Entered: 04/07/2017)
04/10/2017	<u>15</u>	ORDER setting the following schedule for further proceedings in this matter: Defendant's Motion for Summary Judgment shall be filed on or before May 19, 2017; Plaintiff's Opposition to Defendant's Motion for Summary Judgment and Cross-Motion for Summary Judgment shall be filed on or before June 19, 2017; Defendant's Reply and Opposition to Plaintiff's Cross-Motion for Summary Judgment shall be filed on or before July 10, 2017; Plaintiff's Reply shall be filed on or before July 24, 2017. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 04/10/2017. (lcapm2) (Entered: 04/10/2017)
04/10/2017		Set/Reset Deadlines/Hearings: Defendant's Summary Judgment motion due by 5/19/2017. Response to Motion for Summary Judgment due by 6/19/2017. Reply to Motion for Summary Judgment due by 7/10/2017. Plaintiff's Cross Motion due by 6/19/2017. Response to Cross Motion due by 7/10/2017. Reply to Cross Motion due by 7/24/2017. (cdw) (Entered: 04/12/2017)
05/19/2017	<u>16</u>	MOTION for Summary Judgment by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Declaration (Mancini Declaration with Exhibits), # <u>2</u> Declaration (Hitter Declaration with Exhibits), # <u>3</u> Text of Proposed Order)(Kolsky, Joshua) (Entered: 05/19/2017)
06/19/2017	<u>17</u>	Cross MOTION for Summary Judgment by AMERICAN CENTER FOR EQUITABLE TREATMENT, INC. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Declaration, # <u>4</u> Text of Proposed Order)(Grossman, Andrew) (Entered: 06/19/2017)
06/29/2017	<u>18</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>16</u> MOTION for Summary Judgment , <u>17</u> Cross MOTION for Summary Judgment by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Text of Proposed Order)(Kolsky, Joshua) (Entered: 06/29/2017)
07/01/2017		MINUTE ORDER granting <u>18</u> Defendant's Unopposed Motion for Extension of Time. Defendant's Reply and Opposition to <u>17</u> Plaintiff's Cross-Motion for Summary Judgment shall be filed on or before July 24, 2017, and Plaintiff's Reply shall be filed on or before August 7, 2017. Signed by Judge Amit P. Mehta on 07/01/2017. (lcapm2) (Entered: 07/01/2017)
07/01/2017		Set/Reset Deadlines/Hearings: Defendant's Reply to Motion for Summary Judgment due by 7/24/2017. Defendant's response to Cross Motion due by 7/24/2017. Plaintiff's reply to Cross Motion due by 8/7/2017. (cdw) (Entered: 07/03/2017)
07/24/2017	<u>19</u>	REPLY to opposition to motion re <u>16</u> MOTION for Summary Judgment <i>and Opposition to Cross-Motion for Summary Judgment</i> filed by OFFICE OF MANAGEMENT AND BUDGET. (Attachments: # <u>1</u> Statement of Facts (Response), # <u>2</u> Declaration (Mancini), # <u>3</u> Declaration (Hitter))(Kolsky, Joshua) (Entered: 07/24/2017)

07/24/2017	<u>20</u>	Memorandum in opposition to re <u>17</u> Cross MOTION for Summary Judgment <i>and Reply in Support of Motion for Summary Judgment</i> filed by OFFICE OF MANAGEMENT AND BUDGET. (Attachments: # <u>1</u> Statement of Facts (Response), # <u>2</u> Declaration (Mancini), # <u>3</u> Declaration (Hitter))(Kolsky, Joshua) (Entered: 07/24/2017)
08/07/2017	<u>21</u>	REPLY re <u>17</u> Cross MOTION for Summary Judgment filed by AMERICAN CENTER FOR EQUITABLE TREATMENT, INC.. (Grossman, Andrew) (Entered: 08/07/2017)
12/19/2017	<u>22</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part Defendant's <u>16</u> Motion for Summary Judgment and denying in part Plaintiff's <u>17</u> Cross-Motion for Summary Judgment. The parties shall meet and confer and, no later than 21 days from this date, advise the court how they intend to proceed in this matter. See the attached Memorandum Opinion and Order for additional details. Signed by Judge Amit P. Mehta on 12/19/2017. (lcapm1) (Entered: 12/19/2017)
01/09/2018	<u>23</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Kolsky, Joshua) (Entered: 01/09/2018)
01/12/2018		MINUTE ORDER. The parties shall file a Joint Status Report on or before February 9, 2018, updating the court as to developments in this matter. Signed by Judge Amit P. Mehta on 1/12/2018. (lcapm2) (Entered: 01/12/2018)
01/12/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 2/9/2018. (zcdw) (Entered: 01/15/2018)
02/09/2018	<u>24</u>	Joint STATUS REPORT by AMERICAN CENTER FOR EQUITABLE TREATMENT, INC.. (Grossman, Andrew) (Entered: 02/09/2018)
02/13/2018		MINUTE ORDER. Upon consideration of the parties' <u>24</u> February 9, 2018, Joint Status Report, the parties are directed to file another Joint Status Report on or before March 9, 2018, that updates the court on their progress. Signed by Judge Amit P. Mehta on 02/13/2018. (lcapm1) (Entered: 02/13/2018)
02/13/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 3/9/2018. (zcdw) (Entered: 02/14/2018)
03/09/2018	<u>25</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Kolsky, Joshua) (Entered: 03/09/2018)
03/13/2018		MINUTE ORDER. Upon consideration of the parties' <u>25</u> March 9, 2018, Joint Status Report, the parties are directed to file another Joint Status Report on or before April 23, 2018, that updates the court on their progress. Signed by Judge Amit P. Mehta on 03/13/2018. (lcapm1) (Entered: 03/13/2018)
03/13/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 4/23/2018. (zcdw) (Entered: 03/14/2018)
04/23/2018	<u>26</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Kolsky, Joshua) (Entered: 04/23/2018)
04/25/2018		MINUTE ORDER. Upon consideration of the parties' <u>26</u> April 23, 2018, Joint Status Report, the parties are directed to file another Joint Status Report on or before May 23, 2018, that updates the court on their progress. Signed by Judge Amit P. Mehta on 04/25/2018. (lcapm1) (Entered: 04/25/2018)
04/25/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 5/23/2018. (zcdw) (Entered: 04/26/2018)
05/23/2018	<u>27</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Kolsky, Joshua) (Entered: 05/23/2018)
05/24/2018		MINUTE ORDER. In light of the parties' <u>27</u> Joint Status Report, the parties shall file an additional Joint Status Report on or before July 23, 2018, and every 60 days thereafter, until the completion of the production of responsive records. The parties shall notify the court of the final production by filing a notice of that event with the court. Within 14 days of the final production, the parties shall submit an additional Joint Status Report that states whether any disputed issues remain and, if so, proposes

		a summary judgment briefing schedule. Signed by Judge Amit P. Mehta on 5/24/2018. (lcapm2) (Entered: 05/24/2018)
05/24/2018		Set/Reset Deadlines: Joint Status Report due by 7/23/2018. (zjd) (Entered: 05/25/2018)
07/23/2018	<u>28</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Kolsky, Joshua) (Entered: 07/23/2018)
09/21/2018	<u>29</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Kolsky, Joshua) (Entered: 09/21/2018)
11/20/2018	<u>30</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Kolsky, Joshua) (Entered: 11/20/2018)
12/10/2018	<u>31</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Paul Cirino on behalf of OFFICE OF MANAGEMENT AND BUDGET Substituting for attorney Joshua M. Kolsky (Cirino, Paul) (Entered: 12/10/2018)
01/18/2019	<u>32</u>	Unopposed MOTION to Stay , Unopposed MOTION for Extension of Time to <i>All Deadlines</i> by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Text of Proposed Order)(Pfaffenroth, Peter) (Entered: 01/18/2019)
01/18/2019		MINUTE ORDER granting Defendant's Motion to Stay Proceedings. This matter is hereby stayed. Within three days of Department of Justice operations resuming, Defendant notify the court by when the parties will file their next Joint Status Report. Signed by Judge Amit P. Mehta on 1/18/2019. (lcapm2) (Entered: 01/18/2019)
01/31/2019	<u>33</u>	STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Cirino, Paul) (Entered: 01/31/2019)
01/31/2019		MINUTE ORDER. The parties shall file their next Joint Status Report by February 20, 2019. Signed by Judge Amit P. Mehta on 1/31/2019. (lcapm2) (Entered: 01/31/2019)
01/31/2019		Set/Reset Deadlines: Joint Status Report due by 2/20/2019. (zjd) (Entered: 02/05/2019)
02/21/2019	<u>34</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Cirino, Paul) (Entered: 02/21/2019)
04/22/2019	<u>35</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Cirino, Paul) (Entered: 04/22/2019)
06/21/2019	<u>36</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Cirino, Paul) (Entered: 06/21/2019)